



- 2) hold Phase NY jointly and severally liable with SL and Phase Construction for the delinquent contributions, unremitted dues and PAC monies found due and owing by the audit;
- 3) hold all Corporate Defendants bound by the Union's collective bargaining agreement;
- 4) compel the Corporate Defendants to submit to audits for the period December 30, 2013 to the present and hold them jointly and severally liable for any monies found due and owing;
- 5) hold La Barca jointly and severally liable with the Corporate Defendants for their delinquencies;
- 6) enjoin the Corporate Defendants from making any more personal loans to La Barca or distributing corporate funds to La Barca for his personal account until all monies due to the Plaintiffs, including their attorneys' fees and costs, are paid;
- 7) compel La Barca to:
  - a. cooperate in an audit of the Corporate Defendants; and
  - b. provide an accounting to Plaintiffs of his use of corporate funds for his personal account;
- 8) enjoin La Barca from disposing of any personal assets purchased or maintained with corporate funds;
- 9) create a constructive trust in the proceeds of La Barca's disposition of any personal assets purchased or maintained with corporate funds; and
- 10) hold La Barca and the Corporate Defendants jointly and severally liable for Plaintiffs' attorneys' fees and costs.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's Order of April 14, 2016, Defendants' opposing papers, if any, must be served by June 27, 2016, and Plaintiffs' reply papers, if any, must be served by July 11, 2016.

Dated: New York, New York  
May 27, 2016

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